HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO:19221 of 2007

Dated: 23-10-2007

Between:

Kalapala Sreerama Chandra Rao

..... PETIT

AND

The District Collector (Land Acquisition),
Krishna District and another.

.....RESPONI

Counsel for the petitioner: Sri N.Gangadhar

Counsel for the respondents: A.G.P. for Land Acquisition

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HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.19221 of 2007

O R D E R:

This writ petition is filed for a writ of Mandamus to declare the action of the respondents in seeking to acquire the petitioner's land of Ac.0.92 cents in Sy.No.320/6A situated in Kalavapamula village, Uyuuru Mandal, Krishna District through notification dated 06-08-2007 issued under Section 4(1) of the Land Acquisition Act, 1894 (for short "the Act").

Heard Sri N.Gangadhar, learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition.

Learned counsel for the petitioner stated that in pursuance of the notice issued under Section 5-A of the Act, the petitioner submitted his objections on 16-08-2007 and that since he is apprehending that the respondents may overrule their objections and proceed with the acquisition of his land, he filed the present writ petition.

On the petitioner's own showing, in response to the notice received by him, he filed his objections. Therefore, I am unable to accept the petitioner's contention that even before considering the objections the respondents may acquire the land of the petitioner.

Learned Assistant Government Pleader says that the respondents have not yet finalised the enquiry.

Since the proceedings under Section 5-A of the Act are still pending, in my opinion, the writ petition is premature. As and when the objections are considered and an order adverse to the interest of the petitioner is passed, he can avail an appropriate remedy.

For the aforementioned reasons, the writ petition is dismissed. However, before proceeding further, the respondents shall consider and dispose of the objections of the petitioner, if already received.

C.V.NAGARJUNA REDDY,J

Date: 23-10-2007
mdaa